

inserted might indicate this. This unquestionably would not prevent the proviso from having a controlling effect on the entire preceding provisions; the fact that the provisions were deemed mandatory might make a proviso necessary. If the language of the amendment is such as to make the order of business stated therein merely suggestive or permissible, then no proviso would be necessary. Whether said language was considered by the Legislature, which framed the amendment, as mandatory or merely permissive, the Legislature clearly intended to place the matter beyond question or doubt by adding the final proviso under discussion.

In the light of the foregoing, I will make categorical answers to your several questions as follows:

(a) "Can bills and resolutions be introduced in the House during the succeeding thirty-day period without further action on the part of the membership?" I answer, yes.

(b) "Has the House acted legally and in conformity with the Constitution in permitting its committees to consider bills and resolutions during the first thirty days, and in passing upon the same on the floor of the House, in view of the adoption of the resolution hereinabove set forth?" This question is answered, yes.

(c) "Can the House legally consider and pass bills and resolutions during the succeeding (second) thirty-day period without further action upon the part of the membership, in view of the adoption of the resolution hereinabove set forth?" Answer, yes.

(d) "In view of the adoption of the resolution above herein set out, may bills and resolutions be introduced in the House and committee hearings held thereon after the expiration of the first sixty-day period, where such bills or resolutions have been introduced by consent of a two-thirds vote of the House as in such resolution provided?" To this question I also answer, yes.

It appears from the record that the resolution whereby the House made and determined its own rules of order was adopted unanimously. Thereby the House construed the amendment as giving to that body the right to make its own rules of order if done by a four-fifths vote.

Under many decisions of our Supreme Court, the presumption obtains that the construction placed on a provision of the Constitution by the Legislature is correct and that it will be followed by the courts unless it is clearly wrong. It ought to strengthen that presumption in this case that there are several eminent lawyers among the membership of the House and that the resolution was adopted by more than the necessary four-fifths of the entire membership and without a dissenting vote of any member present.

With very great respect, I beg to be,

Yours very truly,

(Signed) F. O. McKINSEY,
Assistant Attorney General.

FOM:GC

This opinion has been considered in conference, approved, and is now ordered recorded.

(Signed)

JAMES V. ALLRED,
Attorney General of Texas.

SEVENTEENTH DAY.

(Continued.)

(Friday, February 20, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Pope:

H. B. No. 658, A bill to be entitled "An Act to regulate all personal, physical, mental endurance contests in public competition for prizes and awards and admission fees; prescribing penalties, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hubbard, Mr. Caven and Mr. Holloway:

H. B. No. 659, A bill to be entitled "An Act to amend House bill No. 18,

Third Called Session of the Forty-first Legislature, to provide for and regulate the method of taking and catching fish in the public fresh waters of Marion, Harrison and Rusk counties, State of Texas, permitting the use of seines, nets and fish traps of a specified size; declaring seines, nets and fish traps of certain sizes to be a public nuisance; providing penalties for violations of this act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Murphy:

H. B. No. 660, A bill to be entitled "An Act to validate the incorporation of the city of Groveton, and to declare valid all acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and aldermen sitting as a city council since the incorporation of said city of Groveton, and to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes heretofore made by the governing body of said city of Groveton not in excess of the limit provided by law, etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Bond:

H. B. No. 661, A bill to be entitled "An Act to amend Articles 4629 and 4633, Revised Civil Statutes of 1925, providing upon what grounds a divorce may be granted, and providing that no divorce shall be granted where either party is insane, unless it can be satisfactorily shown that the cause for divorce existed before either party became insane, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Duvall:

H. B. No. 662, A bill to be entitled "An Act to provide that anti-hog cholera serum sold, distributed or used in or imported into Texas be produced under license issued by the Bureau of Animal Industry, United States Department of Agriculture, etc., and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Satterwhite:

H. B. No. 663, A bill to be entitled "An Act directing the Attorney Gen-

eral of the State of Texas to investigate the facts and authorizing him to file a suit against the State of New Mexico and other necessary or proper parties for damages and to secure for the State of Texas its proportionate part of the waters of the Pecos River for irrigation and power; authorizing the employment of an attorney specializing in irrigation law to assist the Attorney General in such suit, and appropriating money to pay the expense of such investigation and suit."

Referred to Committee on Appropriations.

By Mr. Satterwhite:

H. B. No. 664, A bill to be entitled "An Act to amend Article 2905, Revised Civil Statutes, State of Texas, 1925, conferring the authority upon the county school trustees to exercise the right of eminent domain to acquire title to real property for common school districts and independent school districts having fewer than 150 scholastics; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Smith of Wood:

H. B. No. 665, A bill to be entitled "An Act to amend Title 66 of the Revised Civil Statutes of 1925 by adding thereto Article 4006a, excepting from the provisions of Article 4005 the secretaries of bona fide chambers of commerce, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Howsley:

H. B. No. 666, A bill to be entitled "An Act to amend Article 60 of the Penal Code of Texas, 1925, with reference to the jurisdiction of justice courts, so as to provide that such courts shall have exclusive original jurisdiction in certain cases, and original and concurrent jurisdiction in certain cases, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Keller, Mrs. Hughes, Mr. Greathouse, Mr. Burns of Walker and Mr. Harman:

H. B. No. 667, A bill to be entitled "An Act to amend Section (a) of Article 6686, Revised Statutes, 1925,

as amended by the Acts of the Fortieth Legislature, Chapter 211, page 296, by adding to such section a provision that in addition to the penal provisions for a violation of such article any manufacturer or dealer accepting the benefits of such article shall be responsible for the operation of any vehicle on the public highways by any person in possession thereof with his knowledge or consent or to whom he may entrust the same, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Coltrin (by request):

H. B. No. 668, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial district in this State containing five or more counties having a combined population, according to the Fifteenth Census of the United States, of the year 1930, of not less than 52,080, nor in excess of 52,090; providing how the same shall be paid; providing for an assistant district attorney in each such district, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Cox of Lamar:

H. B. No. 669, A bill to be entitled "An Act to prohibit the making of contracts for teaching in the public free schools of the State, or in State-supported institutions, with any person subject to the payment of the State poll tax, unless such person has paid such poll tax, fixing penalties, and declaring an emergency."

Referred to Committee on Education.

By Mr. Smith of Wood:

H. B. No. 670, A bill to be entitled "An Act repealing Articles 650 and 652 of the Code of Criminal Procedure, Revised Statutes of 1925, relating to severance by defendants, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Harman, Mr. Ford, Mr. Wyatt and Mr. Westbrook:

H. B. No. 671, A bill to be entitled "An Act to prohibit the sale or offering for sale or the buying of any bass, crappie, perch, or channel or opalouis cat, or any other fish taken from the waters of Lake Waco or the Bosque Rivers and their tribu-

taries in the counties of McLennan, Bosque, Hamilton and Erath, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Elliott:

H. B. No. 672, A bill to be entitled "An Act directing State Superintendent of Public Instruction to pay out of rural aid funds heretofore appropriated by the Forty-first Legislature, Third Called Session, a certain sum of money as reward for consolidation to the Smyrna Common School District and the Milano Independent School District, by adding to Chapter 14, Section 8d, carrying out the hereinbefore mentioned purpose, and declaring an emergency."

Referred to Committee on Education.

By Mr. Jones of Atascosa:

H. B. No. 673, A bill to be entitled "An Act to make it unlawful to take or kill wild quail or any specie or any wild turkey in this State for a period of five years; fixing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Smith of Wood:

H. B. No. 674, A bill to be entitled "An Act to repeal Articles 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, and 1456, of Chapter 11 of Title 17, of the Penal Code, Revised Statutes of Texas, 1925, and declaring an emergency."

(Relating to recovery of stolen animals and theft thereof.)

Referred to Committee on Criminal Jurisprudence.

By Mr. Sullivant:

H. B. No. 675, A bill to be entitled "An Act to amend Section 9, Chapter 14, Acts Forty-first Legislature, Third Called Session, so as to provide for aid to consolidated districts formed subsequent to January 1, 1917, and prior to September 1, 1929, under certain conditions and regulations, and declaring an emergency."

Referred to Committee on Education.

By Mr. Bond:

H. B. No. 676, A bill to be entitled "An Act amending Section 3 and Section 7, Chapter 156, of the Acts of the Regular Session of the Fortieth Legislature, so as to provide that

either the district clerk or a clerk appointed may discharge the duties of clerk of the administrative district; providing for term and compensation of the clerk, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Satterwhite:

H. B. No. 677, A bill to be entitled "An Act repealing an Act of the Thirty-ninth Legislature approving a compact entered into on February 10, 1925, by the Commissioner of State of Texas with Commissioner of State of New Mexico relating to the storage, division and use of the waters of the Pecos river in the State of Texas and New Mexico."

Referred to Committee on State Affairs.

By Mr. Lemens and Mr. Veatch:

H. B. No. 678, A bill to be entitled "An Act creating a more efficient road system for Johnson county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery, and appliances of said county under the direction of the commissioners court, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Smith of Wood:

H. B. No. 679, A bill to be entitled "An Act to amend and re-enact Article 710 of the Code of Criminal Procedure, Revised Statutes of Texas, 1925, and declaring an emergency."

(Relating to testimony of defendants in trials.)

Referred to Committee on Criminal Jurisprudence.

By Mr. Reader and Mr. Terrell of Cherokee:

H. B. No. 680, A bill to be entitled "An Act defining certain grade labels for milk; prohibiting the mislabeling of milk and milk products; providing for the State Board of Health to promulgate standards for the grades and grading of milk and milk products; and providing a penalty, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Graves:

H. B. No. 681, A bill to be entitled "An Act amending Article 1020 of

the Code of Criminal Procedure of Texas, of 1925; prescribing for fees in examining courts in felony cases to be charged and collected by county judges, justices of the peace, sheriffs, constables, district and county attorneys; providing such fees shall not become due and payable except in the event of an indictment by a grand jury, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Laird:

H. B. No. 682, A bill to be entitled "An Act to prohibit any person from selling, or offering for sale, any books, supplies or equipment, to any school or educational institution, with which such person may be connected in any official capacity, and declaring an emergency."

Referred to Committee on Education.

By Mr. Howsley, Mr. Burns of Walker, Mr. Greathouse, Mr. Holland et al.:

H. B. No. 683, A bill to be entitled "An Act to provide that the State Highway Commission shall be authorized to require that all contracts for the construction, maintenance and improvement of any designated State highway shall contain a provision that no person will be employed by the contractor to perform manual labor in the course of such work at a wage of less than thirty cents per hour; fixing penalties; and providing for the enforcement of such contract, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Vaughan:

H. B. No. 684, A bill to be entitled "An Act to amend Article 1030, Revised Civil Statutes, 1925, so as to provide that the city council of any city shall have power to levy and collect an annual poll tax, not to exceed one dollar, of every inhabitant of said city over the age of twenty-one and under sixty years, persons exempt from the payment of the State poll tax excepted, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Beck and Mr. Patterson:

H. B. No. 685, A bill to be entitled "An Act repealing Section XI of Ar-

title 7152, Revised Statutes of Texas of 1925, and declaring an emergency." (Relating to manner in which property is rendered taxable.)

Referred to Committee on Revenue and Taxation.

By Mr. Beck and Mr. Patterson:

H. B. No. 686, A bill to be entitled "An Act to amend Article 3943, Revised Civil Statutes of 1925, providing for commissions that shall be paid to the county treasurer and providing for one deputy in certain counties and fixing compensation, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Smith of Wood:

H. B. No. 687, A bill to be entitled "An Act to amend and re-enact Article 6704 of the Revised Civil Statutes of the State of Texas, 1925, so as to make all the designated and used rural mail carrier's routes roads of the first class."

Referred to Committee on Highways and Motor Traffic.

By Mr. Sanders et al.:

H. B. No. 688, A bill to be entitled "An Act authorizing and directing the State Auditor and Efficiency Expert to immediately begin an audit of the affairs, accounts, books, contracts and employes of the State Highway Department, and making an appropriation out of the funds belonging to the said Highway Department for the purpose of paying the employes necessary to carry out the provisions of this act in the sum of \$12,900, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Dunlap:

H. B. No. 689, A bill to be entitled "An Act validating, ratifying, and approving the acts and proceedings of the county board of school trustees, and county commissioners courts, relating to consolidation of territory to certain independent school districts, and declaring an emergency."

Referred to Committee on Education.

By Mrs. Hughes:

H. B. No. 690, A bill to be entitled "An Act to amend Articles 1569 and 1571 of the Revised Penal Statutes of

the State of Texas of 1925, and to repeal Chapter 87, page 318, Acts of the First Called Session of the Forty-first Legislature, so as to limit the hours of labor for females employed in any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, dry cleaning establishment, etc., and declaring an emergency."

Referred to Committee on Labor.

By Mrs. Hughes:

H. B. No. 691, A bill to be entitled "An Act to repeal Articles 5169 and 5170 of the Revised Civil Statutes of the State of Texas of 1925, and Chapter 86, page 217, Acts of the First Called Session of the Forty-first Legislature, and to amend Articles 5168 and 5172 of the Revised Civil Statutes of the State of Texas, 1925, so as to limit the hours of labor for females employed in any factory, mine, mill, workshop, etc., and declaring an emergency."

Referred to Committee on Labor.

By Mr. Burns of Walker:

H. B. No. 692, A bill to be entitled "An Act providing for the establishment of a tuberculosis sanatorium for negroes, to be known as the State Tuberculosis Sanatorium for Negroes; providing for its location, the acquisition by the State of a tract of land therefor not exceeding one thousand acres, the approval of title thereto, and authorizing the State to accept donations for said purpose, etc., and declaring an emergency."

Referred to Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Claunch:

H. B. No. 693, A bill to be entitled "An Act to make it unlawful to take or kill wild quail of any species for a period of five years in Borden county, Texas; fixing penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Young:

H. B. No. 694, A bill to be entitled "An Act providing that in counties of a certain population and property valuation the sheriff may appoint certain deputies, with the consent of the commissioners court; providing the means and manner of appointment and payment of salaries, and pre-

scribing the maximum salary, and declaring an emergency."

Referred to Committee on Counties. (Read out of order February 19, 1931.)

By Mr. Claunch and Mr. Davis:

H. B. No. 695, A bill to be entitled "An Act providing a more efficient road law for Dickens county, Texas; authorizing the commissioners court to refund that part of the principal and interest of its county-wide road bonds which will mature in March and April, 1931, by the issuance of refunding bonds in said amount, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Young:

H. B. No. 696, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Collingsworth county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said act and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Young (by request):

H. B. No. 697, A bill to be entitled "An Act to permit the county commissioners court in counties of twenty-five thousand (25,000) population or less to employ one general county stenographer to assist any and all county officials when needed, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Terrell of Cherokee:

H. B. No. 698, A bill to be entitled "An Act creating a special road law for Cherokee county, Texas, requiring bonds for road overseers; providing that the commissioners courts shall not be authorized to issue any funding or refunding bonds or warrants without a vote of the people except under certain conditions, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Weinert:

H. B. No. 699, A bill to be entitled "An Act relating to the taking of catfish and ordinary sun perch from the fresh waters of Guadalupe county, Texas; making it unlawful to take such fish by any means other than by

ordinary hook and line, or to possess the same when taken by any other means, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. DeWolfe:

H. B. No. 700, A bill to be entitled "An Act amending Subdivision 27, Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, which subdivision relates to the district court of the Twenty-seventh Judicial District of Texas, and to fix the number of terms and the places and time for holding said court, and to conform all writs and process from such court to such changes, and to make all writs and process issued or served before this act takes effect, including recognizances and bonds, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Farmer:

H. B. No. 701, A bill to be entitled "An Act amending Section 10 of Chapter 230, of the Special Laws of the Regular Session of the Thirty-ninth Legislature of the State of Texas; providing the manner of holding elections in said district; directing the return of the ballots and ballot boxes to the county clerk; providing that the canvassing of the returns and the declaration of the results shall be in the presence of the county judge and the county clerk; and providing for the safekeeping of the ballots, and declaring an emergency."

Referred to Committee on Education.

HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions were laid before the House, read severally first time, and referred to the Committee on Constitutional Amendments, as follows:

By Mr. Beck, Mr. McCombs, Mr. Duvall et al.:

H. J. R. No. 25, Proposing an amendment to the Constitution of the State of Texas by adding to Article IX thereof a new section to be numbered 3, so as to authorize any county having more than 150,000 population to adopt a home rule charter for the establishment and regulation of its government, which may provide that the commissioners court of

such counties may serve as the governing body, or that some other body shall act in lieu thereof, and said charter may also provide that the county judge, justices of the peace, district and county attorneys and other officers in said counties may be compensated by salary instead of fees of office, etc.

By Mr. Anderson:

H. J. R. No. 26, Proposing an amendment to Article VI of the Constitution of the State of Texas by adopting a new section, which shall provide that only qualified electors owning taxable property in the State, county, district, political subdivision, city, town or village where the election is held and which has been duly rendered for taxation shall be qualified to vote at elections held for the purpose of issuing bonds or otherwise lending credit, or expending money or assuming debt therein.

By Mr. Savage:

H. J. R. No. 27, Proposing an amendment to Section 13, Article 8, of the Constitution of the State of Texas; providing that the former owner shall within two years from date of purchaser's deed have the right to redeem the land upon the payment of double the amount of the total taxes and cost of foreclosure within two years.

By Mr. Smith of Wood:

H. J. R. No. 28, Proposing an amendment to Section 13, Article 1, of the State Constitution of the State of Texas, so as to forbid infliction of death as a penalty for crime, providing for its submission to the voters of the State of Texas, as required by the Constitution, and making an appropriation.

By Mr. Hanson:

H. J. R. No. 29, Proposing an amendment of Section 2 of Article 6 of the Constitution of Texas, with reference to the levying and collecting of poll tax.

By Mr. Alsup, Mr. Baker, Mr. Coltrin and Mr. Stephens:

H. J. R. No. 30, Proposing an amendment to Section 2, of Article 3, of the Constitution of Texas, by adding thereto Section 2a, providing that under no apportionment shall any county be entitled to more than one Senator or more than four Rep-

resentatives; providing for its submission to the voters as required by the Constitution, and making an appropriation therefor.

HOUSE BILL NO. 399 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as unfinished business on its passage to engrossment,

H. B. No. 399, A bill to be entitled "An Act making certain appropriations out of the general revenues of the State of Texas for the several institutions and departments of State government as named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

The bill having been read second time on yesterday, with motion by Mr. Gilbert to postpone further consideration of the bill until Tuesday, March 3, 1931, pending.

Mr. Scott moved to table the motion to postpone.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Harman.
Adams of Harris.	Hatchitt.
Adams of Jasper.	Hill.
Adkins.	Holder.
Albritton.	Holland.
Alsup.	Holloway.
Anderson.	Hoskins.
Barron.	Hughes.
Beck.	Johnson of Morris.
Bradley.	Jones of Atascosa.
Brooks.	Justiss.
Bryant.	Kayton.
Burns of Walker.	Keller.
Claunch.	Laird.
Coltrin.	Lemens.
Cox of Limestone.	Leonard.
Cunningham.	Lilley.
Daniel.	Long.
Davis.	McCombs.
DeWolfe.	McDougald.
Dodd.	McGill.
Dowell.	Magee.
Dunlap.	Martin.
Dwyer.	Mehl.
Elliott.	Metcalfe.
Finn.	Moore.
Forbes.	Munson.
Ford.	Murphy.
Fuchs.	O'Quinn.
Goodman.	Patterson.
Graves.	Petsch.
Greathouse.	Ratliff.
Grogan.	Ray.
Hardy.	Richardson.

Rountree.	Terrell
Sanders.	of Val Verde.
Satterwhite.	Van Zandt.
Savage.	Vaughan.
Scott.	Wagstaff.
Smith of Bastrop.	Warwick.
Steward.	West of Coryell.
Strong.	West of Cameron.
Tarwater.	Wiggs.
Terrell	Wyatt.
of Cherokee.	Young.

Nays—30.

Adamson.	Gilbert.
Akin.	Hanson.
Baker.	Harrison
Bond.	of Waller.
Bounds.	Hefley.
Boyd.	Jackson.
Brice.	Kennedy.
Burns	Lee.
of McCulloch.	Moffett.
Carpenter.	Rogers.
Cox of Lamar.	Sherrill.
Dale.	Smith of Wood.
Donnell.	Sparkman.
Engelhard.	Towery.
Farmer.	Veatch.
Farrar.	Walker.
Fisher.	

Present—Not Voting.

Herzik.	Stephens.
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Absent.

Bedford.	Lasseter.
Caven.	Lockhart.
Coombes.	McGregor.
Duvall.	Mathis.
Ferguson.	Morse.
Giles.	Nicholson.
Harrison	Olsen.
of El Paso.	Pope.
Hines.	Ramsey.
Howsley.	Reader.
Hubbard.	Shelton.
Johnson	Stevenson.
of Dallam.	Sullivant.
Johnson	Turner.
of Dimmit.	Weinert.
Jones of Shelby.	Westbrook.

Reason for Vote.

Reason for vote on motion to table motion to postpone consideration on House bill No. 399 until March 3, 1931:

I vote "no" because I think the Legislature should know how much money is available before these large appropriations are made, believing at all times we should keep the appropriations of the State within its revenues.

BURNS of McCulloch.

Mr. Sherrill offered the following amendment to the bill:

Strike out all below the enacting clause and substitute the following:

Section 1. That the following sums of money, and the same are, hereby appropriated out of any money in the State Treasury not otherwise appropriated, to cover emergency appropriations for the several institutions and departments of the State government named herein, for the balance of the fiscal year ending August 31, 1931, which appropriation shall be immediately available, and shall be for the emergencies hereinafter stated.

Agricultural and Mechanical College,
College Station, Texas.

Summer School, 1931.....\$ 13,500.00

John Tarleton Agricultural College,
Stephenville, Texas.

Summer School, 1931.....\$ 7,000.00

North Texas Junior Agricultural College,
Arlington, Texas.

Summer School, 1931.....\$ 4,500.00

Prairie View State Normal, Prairie
View, Texas.

Summer School, 1931.....\$ 2,000.00

University of Texas, Austin, Texas.

Summer School, 1931.....\$ 18,000.00

College of Mines and Metallurgy, El
Paso, Texas.

Summer School, 1931.....\$ 10,000.00

College of Industrial Arts, Denton,
Texas.

Summer School, 1931.....\$ 11,000.00

College of Arts and Industries, Kings-
ville, Texas.

Summer School, 1931.....\$ 12,000.00

Texas Technological College, Lub-
bock, Texas.

Summer School, 1931.....\$ 20,000.00

East Texas State Teachers College,
Commerce, Texas.

Summer School, 1931.....\$ 22,000.00

North Texas State Teachers College,
Denton, Texas.

Summer School, 1931.....\$ 37,000.00

Sam Houston State Teachers College,
Huntsville, Texas.

Summer School, 1931.....\$ 16,500.00

Southwest Texas State Teachers College, San Marcos, Texas.	McDougald.	Rountree.
Summer School, 1931.....\$ 19,500.00	McGill.	Sanders.
Stephen F. Austin State Teachers College, Nacogdoches, Texas.	Magee.	Satterwhite.
Summer School, 1931.....\$ 14,000.00	Martin.	Shelton.
Sul Ross State Teachers College, Alpine, Texas.	Metcalf.	Stephens.
Summer School, 1931.....\$ 9,800.00	Moffett.	Steward.
West Texas State Teachers College, Canyon, Texas.	Moore.	Strong.
Summer School, 1931.....\$ 14,000.00	Munson.	Sullivant.
	Murphy.	Tarwater.
	O'Quinn.	Van Zandt.
	Patterson.	Wagstaff.
	Petsch.	Walker.
	Ramsey.	Warwick.
	Ratliff.	West of Coryell.
	Ray.	Wiggs.
	Reader.	Wyatt.
	Richardson.	Young.
	Rogers.	
Grand total.....\$230,800.00		

Sec. 2. The fact that the appropriations for the above items are exhausted, or will become exhausted before the expiration of the time for which the same was appropriated, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read upon three several days in each house, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Satterwhite moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—84.

Mr. Speaker.	Greathouse.
Adams of Harris.	Grogan.
Adams of Jasper.	Harman.
Adkins.	Harrison
Alsup.	of El Paso.
Beck.	Harrison
Bradley.	of Waller.
Brice.	Hill.
Brooks.	Hines.
Bryant.	Holder.
Burns of Walker.	Holloway.
Claunch.	Hoskins.
Coltrin.	Hughes.
Cox of Limestone.	Jackson.
Daniel.	Johnson
Davis.	of Dimmit.
DeWolfe.	Johnson of Morris.
Dodd.	Jones of Shelby.
Dowell.	Jones of Atascosa.
Dunlap.	Keller.
Dwyer.	Lemens.
Finn.	Leonard.
Forbes.	Lilley.
Ford.	Long.
Graves.	McCombs.

Adamson.	Hanson.
Akin.	Hardy.
Albritton.	Hefley.
Anderson.	Kayton.
Baker.	Kennedy.
Bond.	Mehl.
Bounds.	Savage.
Boyd.	Scott.
Carpenter.	Sherrill.
Cox of Lamar.	Smith of Wood.
Dale.	Sparkman.
Elliott.	Terrell
Engelhard.	of Cherokee.
Farmer.	Towery.
Farrar.	Vaughan.
Fisher.	Veatch.
Fuchs.	Weinert.
Goodman.	

Nays—34.

Absent.

Barron.	Justiss.
Bedford.	Laird.
Burns	Lasseter.
of McCulloch.	Lee.
Caven.	Lockhart.
Coombes.	McGregor.
Cunningham.	Mathis.
Donnell.	Morse.
Duvall.	Nicholson.
Ferguson.	Olsen.
Gilbert.	Pope.
Giles.	Smith of Bastrop.
Hatchitt.	Stevenson.
Herzik.	Terrell
Holland.	of Val Verde.
Howsley.	Turner.
Hubbard.	West of Cameron.
Johnson	Westbrook.
of Dallam.	

Mr. McCombs moved the previous question on the engrossment of the bill, and the main question was ordered.

House bill No. 399 was then passed to engrossment.

HOUSE BILL NO. 399 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 399 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Mr. Speaker.	Hill.
Adams of Jasper.	Hines.
Adamson.	Holder.
Adkins.	Holloway.
Albritton.	Hoskins.
Alsup.	Hughes.
Anderson.	Jackson.
Barron.	Johnson
Beck.	of Dimmit.
Boyd.	Johnson of Morris.
Bradley.	Jones of Shelby.
Brice.	Jones of Atascosa.
Brooks.	Kayton.
Bryant.	Laird.
Burns of Walker.	Lasseter.
Burns	Lee.
of McCulloch.	Lemens.
Carpenter.	Leonard.
Claunch.	Lilley.
Coltrin.	Long.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDougald.
Cunningham.	McGill.
Dale.	Magee.
Daniel.	Martin.
Davis.	Mehl.
DeWolfe.	Metcalf.
Dodd.	Moffett.
Dowell.	Moore.
Dunlap.	Munson.
Duvall.	Murphy.
Dwyer.	O'Quinn.
Elliott.	Patterson.
Engelhard.	Ramsey.
Farrar.	Ratliff.
Finn.	Ray.
Fisher.	Reader.
Forbes.	Richardson.
Ford.	Rogers.
Fuchs.	Rountree.
Gilbert.	Sanders.
Goodman.	Satterwhite.
Graves.	Savage.
Greathouse.	Scott.
Grogan.	Shelton.
Hanson.	Smith of Bastrop.
Harman.	Sparkman.
Harrison	Stephens.
of El Paso.	Steward.
Harrison	Strong.
of Waller.	Sullivant.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Herzik.	Towery.

Van Zandt.
Vaughan.
Veatch.
Wagstaff.
Walker.

Warwick.
Weinert.
West of Cameron.
Wiggs.
Wyatt.

Nays—9.

Akin.
Baker.
Bond.
Bounds.
Farmer.

Hardy.
Kennedy.
Sherrill.
Smith of Wood.

Absent.

Adams of Harris.
Bedford.
Caven.
Coombes.
Donnell.
Ferguson.
Giles.
Holland.
Howsley.
Hubbard.
Johnson
of Dallam.
Justiss.
Keller.
Lockhart.

McGregor.
Mathis.
Morse.
Nicholson.
Olsen.
Petsch.
Pope.
Stevenson.
Tarwater.
Terrell
of Val Verde.
Turner.
West of Coryell.
Westbrook.
Young.

The Speaker then laid House bill No. 399 before the House on its third reading and final passage.

The bill was read third time.

Mr. Long offered the following amendment to the bill:

Amend House bill No. 399 by inserting between lines 22 and 23, page 1, the following: "For freight and erection of rigs, derricks, meters, laboratory equipment, and other oil field equipment that has been given or donated to A. and M. College, \$12,000."

Signed—Long, Anderson.

The amendment was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—58.

Adkins.
Anderson.
Baker.
Barron.
Beck.
Boyd.
Bradley.
Burns of Walker.
Carpenter.
Cox of Limestone.
DeWolfe.
Dowell.
Dunlap.
Duvall.
Elliott.

Engelhard.
Farmer.
Finn.
Forbes.
Greathouse.
Hanson.
Hardy.
Harman.
Hatchitt.
Hill.
Hines.
Holder.
Holland.
Hoskins.
Jones of Shelby.

Kayton.	Ramsey.
Keller.	Ratliff.
Kennedy.	Ray.
Lasseter.	Reader.
Leonard.	Richardson.
Long.	Rountree.
Mehl.	Sanders.
Metcalf.	Smith of Bastrop.
Moffett.	Steward.
Moore.	Tarwater.
Munson.	Wagstaff.
Olsen.	Walker.
O'Quinn.	West of Coryell.
Patterson.	Wiggs.

Nays—51.

Adams of Harris.	Holloway.
Adamson.	Hughes.
Akin.	Jackson.
Albritton.	Johnson of Morris.
Alsup.	Justiss.
Bond.	Laird.
Bounds.	Lee.
Brice.	Lemens.
Bryant.	McCombs.
Burns	McDougald.
of McCulloch.	McGill.
Claunch.	Martin.
Cox of Lamar.	Murphy.
Cunningham.	Rogers.
Dale.	Shelton.
Daniel.	Sherrill.
Dodd.	Smith of Wood.
Fisher.	Sparkman.
Ford.	Sullivant.
Fuchs.	Terrell
Gilbert.	of Cherokee.
Goodman.	Towery.
Grogan.	Vaughan.
Harrison	Veatch.
of El Paso.	Warwick.
Harrison	Weinert.
of Waller.	Wyatt.
Hefley.	

Present—Not Voting.

Farrar.	Magee.
Lilley.	Stephens.

Absent.

Adams of Jasper.	Johnson
Bedford.	of Dallam.
Brooks.	Johnson
Caven.	of Dimmit.
Coltrin.	Jones of Atascosa.
Coombes.	Lockhart.
Davis.	McGregor.
Donnell.	Mathis.
Dwyer.	Morse.
Ferguson.	Nicholson.
Giles.	Petsch.
Graves.	Pope.
Herzik.	Satterwhite.
Howsley.	Savage.
Hubbard.	Scott.

Stevenson.	Van Zandt.
Strong.	West of Cameron.
Terrell	Westbrook.
of Val Verde.	Young.
Turner.	

House bill No. 399 was then passed by the following vote:

Yeas—109.

Mr. Speaker.	Johnson
Adams of Harris.	of Dimmit.
Adamson.	Johnson of Morris.
Adkins.	Jones of Shelby.
Albritton.	Jones of Atascosa.
Alsup.	Justiss.
Anderson.	Kayton.
Barron.	Keller.
Beck.	Kennedy.
Boyd.	Laird.
Bradley.	Lemens.
Brice.	Leonard.
Bryant.	Lilley.
Burns of Walker.	McCombs.
Burns	McDougald.
of McCulloch.	McGill.
Carpenter.	Magee.
Claunch.	Martin.
Cox of Lamar.	Mehl.
Cox of Limestone.	Metcalf.
Dale.	Moffett.
Davis.	Moore.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Olsen.
Dowell.	O'Quinn.
Dunlap.	Patterson.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Elliott.	Ray.
Engelhard.	Reader.
Farrar.	Richardson.
Finn.	Rogers.
Forbes.	Rountree.
Ford.	Sanders.
Fuchs.	Satterwhite.
Gilbert.	Savage.
Giles.	Shelton.
Goodman.	Smith of Bastrop.
Greathouse.	Sparkman.
Grogan.	Stephens.
Hanson.	Steward.
Harman.	Strong.
Harrison	Sullivant.
of El Paso.	Tarwater.
Harrison	Terrell
of Waller.	of Cherokee.
Hefley.	Towery.
Herzik.	Vaughan.
Hill.	Wagstaff.
Hines.	Walker.
Holder.	Warwick.
Holland.	Weinert.
Holloway.	West of Coryell.
Hoskins.	Wiggs.
Hughes.	Wyatt.
Jackson.	Young.

Nays—9.

Akin.	Farmer.
Baker.	Hardy.
Bond.	Lasseter.
Bounds.	Smith of Wood.
Cunningham.	

Present—Not Voting.

Fisher.

Absent.

Adams of Jasper.	McGregor.
Bedford.	Mathis.
Brooks.	Morse.
Caven.	Nicholson.
Coltrin.	Petsch.
Coombes.	Pope.
Daniel.	Scott.
Ferguson.	Sherrill.
Graves.	Stevenson.
Hatchitt.	Terrell
Howsley.	of Val Verde.
Hubbard.	Turner.
Johnson	Van Zandt.
of Dallam.	Veatch.
Lee.	West of Cameron.
Lockhart.	Westbrook.
Long.	

BILL ORDERED NOT PRINTED.

On motion of Mr. Terrell of Val Verde, Senate bill No. 56 was ordered not printed.

BILLS RECOMMENDED.

On motion of Mr. Keller, House bill No. 292 was recommitted to the Committee on Common Carriers.

On motion of Mr. Van Zandt, House bill No. 381 was recommitted to the Committee on Revenue and Taxation.

On motion of Mr. McDougald, House bill No. 286 was recommitted to the Committee on Education.

NOTICE GIVEN.

Mr. Holder gave notice that he would, on next Monday, call up for consideration at that time the resolution relating to certain rural aid charts.

REPORT OF THE COMMITTEE IN REGARD TO STATE HOSPITALS FOR INSANE.

On motion of Mrs. Moore the following report was ordered printed in the Journal:

Hon. Fred H. Minor, Speaker, and to the members of the House of Representatives, of the Forty-second Legislature:

We, your special committee appointed under authority of House

simple resolution passed during the Fifth Called Session of the Forty-first Legislature, have made a survey of the State Hospitals for Insane as to their state of repair, need for fireproofing, and the overcrowding, and beg to make the following report.

(Signed)

MRS. MOORE, Chairman,
HOPKINS,
METCALFE.

Austin State Hospital.

The State Hospital for Insane at Austin is the oldest institution of its kind in the State, having been built in 1857. The old buildings, with the exception of those that have been fireproofed within the past two or three years, are in a poor state of repair. The administration building and ward buildings connecting with it are of heavy stone and lime mortar construction. The walls have bulged and cracked and have been repaired in numerous places.

In the summer of 1930 the State Fire Insurance Commissioner urged the immediate rewiring of the administration building and certain other fireproofing to be done because of the serious fire hazard. No funds were available for this work and it has not been done.

The sewer system of the entire hospital is antiquated and in a bad state of repair and inadequate to supply the needs of the institution properly. When it was installed the present size of the hospital was not anticipated. There are frequent stoppages which necessitates expense.

The old woman's infirmary is in great need of fireproofing and repairing. The porches on the old men's building are dilapidated and worn and should be replaced. Both of these buildings are fire hazards.

The run-way which leads from several of the ward buildings to the big dining hall where 1000 are seated at one time, is in an exceedingly worn-out condition. It should be rebuilt and enclosed on the north side, at least, so that the patients may be protected when going to and from their meals in cold and wet weather.

The hospital now has 1971 patients, 200 more than its normal air capacity which is considered to be 600 cubic feet per person. In the old building the wards were crowded to capacity when in 1927 in order to make room for the patients from the Senile Hospital fifteen more beds were added to each ward. There are many rooms

in this building approximately 12x15 feet in size, with one small window and containing four and five beds.

A number of rooms approximately 20x24 feet in size with two small windows and containing 12 beds. These are white men's wards. This building has been fireproofed within the last three years. There are 95 patients on each ward. The bathing facilities are inadequate, there being three bath tubs for the use of 95 patients and no shower baths.

Serious consideration should be given to the question as to whether any improvements other than necessary repairs and fireproofing should be made at this institution. An architect has estimated that it would take \$800,000.00 to semi-fireproof and repair and make safe these old buildings, and then it would only be an old institution, antiquated in its plan. It is well within the city limits of Austin and occupies very valuable land, which is increasing in value as the city grows. The land is not all in one tract, some of it being located across the highway. The patients are endangered in coming and going to and from their work at the gardens and dairies. Because of the tremendous cost of rehabilitating this old institution, the fact that it occupies very valuable property, too valuable to justify its use as farming land, we recommend that a resolution be passed authorizing the Governor, Lieutenant Governor, Speaker of the House, and Board of Control to investigate the feasibility of gradually abandoning the present Austin State Hospital, for a site on less valuable land and which is more suitable in location for such an institution. The Thirty-eighth Legislature, in trying to solve the problems of removing the insane from the jails and relieve the overcrowding in the hospitals, appropriated \$50,000.00 to remodel, and \$30,000.00 to equip the old School for Blind in Austin for a Senile Hospital. The senile patients from the other State hospitals to be removed to Austin. Before any patients were brought here, however, the Board of Control was enjoined from using the buildings for insane patients. During the session of the Thirty-ninth Legislature a compromise agreement was reached and they were permitted to use the buildings until August 31, 1926, about a year, when all patients were moved again to other hospitals.

There are no buildings designed for attendants' quarters. The at-

tendants are scattered throughout the hospital, some in rooms over the laundry, some in rooms just off the wards, and some in basements. Improvements are needed in some of the quarters occupied by the staff doctors on the second floor of the administration building, increased bathing facilities are needed badly in these apartments.

All parts of the institution are clean and orderly as the old and antiquated buildings will permit.

An irrigated garden produced \$25,000.00 worth of vegetables last year. Directed and supervised by the farm and dairy managers the work is practically all done by patients. A good dairy herd and poultry farm contribute materially toward a low maintenance cost.

Quotation from the report of the Fire Insurance Commissioner's report, made after an inspection trip to State hospitals last summer: "Where possible hazardous conditions, such as wooden floors, ceilings, and plastered ceilings be replaced with fire-resistive materials, and that connecting-ways also be made fire resistive."

San Antonio State Hospital.

The oldest part of the San Antonio State Hospital was built in 1895. This is used for the administration division and the upstairs for the quarters of the superintendent and staff doctors. There are six ward buildings of three stories each. They are built at either side of the main building and used one wing for men and one for women. A tubercular hospital for men and one for women, both overcrowded.

Some of the floors of the ward buildings have been concreted. The concrete floor of one forming the ceiling of the floor below, thus eliminating a fire hazard. There are two floors contracted for, which leaves six additional floors to be fireproofed. These floors are of wood, old and oil soaked. The State Fire Insurance Commissioner has urged that they be replaced with concrete. The cost of concreting one of these floors is \$4,000.00 which is little more than the cost of material, as most of the work is done by patients.

The Forty-first Legislature appropriated \$45,000 to build concrete porches for one of the ward buildings. This has been done. New porches are urgently needed for one of the other old ward buildings. Patients can spend only a short period of each day out of doors, many can-

not go out at all, and in inclement weather all must be kept indoors or on the porches. The old wooden floors of these porches are worn out. The iron supports are rusted through and the floors are braced with 4x4 timbers to make them safe to use. An appropriation to replace these porches is imperative.

The hospital has 2250 patients all of the time, with 300 on furlough. The superintendent states that there are over 300 more patients on the wards than there is normal air space for, and about 50 sleeping on pallets on the floors of the halls. In many of the smaller rooms there are fourteen beds to four small windows.

The superintendent has one assistant superintendent and six staff doctors. One of the staff doctors has charge of 900 women. The superintendent is requesting two more assistant staff doctors.

The hospital has a fine dairy herd, which supplies most of the milk; also there is a good herd of hogs, which supplies a good deal of meat. The farm has 25 acres of irrigated garden, which last year supplied \$25,000 worth of fresh vegetables. Practically all of the farm work is done by patients under supervision, which beneficial and useful employment is a part of the treatment of inmates.

The large mess hall seats 1680 people, uses ten paid employes, all other help being patients. New kitchen equipment is badly needed.

The superintendent is asking for \$35,000 to build a 40-room building to house all women employes. This is needed.

Wichita Falls State Hospital.

The Wichita Falls Hospital was established by act of the Legislature in 1917, and was opened in 1922. It is composed of twelve patient cottages or dormitories, each of two stories. A tubercular hospital, composed of two wards with twenty beds for men and the same number for women. Both full to capacity and four women patients sleeping on pallets on the floor. A new dormitory was to be opened in November. There is need of a central hospital and more room in the tubercular hospital.

Due to the fact that this institution is located nine miles in the country, it is necessary that all employes live on the grounds. There are not adequate accommodations and many of the employes are occupying rooms in the wards. An additional building

to house employes should be allowed.

There is not adequate accommodation for the staff or for the superintendent. A residence should be allowed for the superintendent and his present quarters on the second floor of the administration building be converted into quarters for the staff doctors.

The general plan of this institution is modern, and we believe should be followed in creating other similar institutions.

There are 940 acres in the State-owned land. The garden and dairy produced \$53,000 worth of produce last year. The hospital is modern and fireproof throughout. The only one of its kind in the State. The increase in patients in this hospital from 1926 to 1931 was 1183.

Terrell State Hospital.

The Terrell State Hospital consists of main administration building, which was rebuilt within the past three years, a three-story wing at either side, which was built in 1883. One wing is used for women and one for men, 445 being housed in each wing. The women's wing of the building is a patch-work of repaired parts, with some concrete floors. The men's wing has not been fireproofed or repaired to the same extent. There is a total of about 2000 patients.

The old women's infirmary, built in 1902, is not fireproof and is not worth the expense of fireproofing and remodeling. The Women's Annex No. 1, built in 1902, three stories, with 225 patients, is a serious fire hazard and is not worth repairing. Women's Annex No. 2 was fireproofed last year at a cost of \$35,000. It is three stories and houses 225 patients.

The men's infirmary is old and dilapidated and not worth the expense of repairing and fireproofing. The third floor of the Men's Annex No. 1 burned three years ago. The two lower floors are in use, but are not worth the cost of fireproofing. The Men's Annex No. 2 was fireproofed the past year and is in good condition.

A small central hospital, where acute cases are taken for treatment, is in good condition.

The second floor of the laundry building should be fireproofed. There are 640 acres of State property, most of which is in cultivation. We believe that if any future additions are made to this institution, a definite ground plan should be worked out

and adhered to, so as to bring the various buildings into a proper relationship with each other. We would suggest that the State building inspector examine the four old buildings at this institution which we have described above.

Abilene State Hospital.

The Abilene State Hospital for epileptic patients was established in 1903. It consists of nine cottages or dormitories for women, each two-story, and a hospital for women. Eleven similar cottages or dormitories for men, and a hospital for men. Each cottage has its own kitchen and a dining room. The newer buildings are fireproof. The old ward buildings have worn wooden floors, which should be replaced with concrete.

A new and larger bakery is much needed. The old bakery to be used for a mattress factory, which is needed for the institution. The floor of the sewing room is badly worn and should be replaced with concrete. The upstairs is occupied by employes. The floors upstairs also should be renewed and additional bathing facilities installed. Monel table tops in the dining room would be more sanitary than oil cloth which is now used. The laundry is crowded beyond safety or efficiency. There is some crowding in the dormitories but it could be worse. There are 905 patients.

There are 640 acres in the State property. The Hospital has a good dairy herd and garden.

Rusk State Hospital.

The old penitentiary buildings at Rusk were converted into a State Hospital for Insane in 1919. It was originally intended to care for 600 patients. The hospital now has 1440 with 250 on furlough.

It consists of the main old building the center of which is used for the administration department, with a wing on either side for patients.

A hospital with 70 beds, one being for men and the other for women patients. Tubercular patients as well as others are housed in this building, though not in close contact. It is proposed to use this hospital for tubercular patients and build a new general hospital. This should be allowed.

Two new patient buildings were being completed in November, each to house 200 negro men. There are two

buildings for negro women, both new within the last four or five years.

A building to house doctors and officers is badly needed. A \$35,000 request was allowed last year but was vetoed.

The old mule barn which has been in use for a dormitory for negro men collapsed while undergoing repairs in October of 1930. This old building has cost enough in repairs to build a new building.

The institution is confronted at times with a dangerous water shortage. A sufficient sum should be allowed to supplement the water supply to this institution to make it adequate and permanent. A dam is proposed at a probable cost of \$50,000. Additional laundry equipment is needed.

A residence for the superintendent is needed, as his present quarters in the old administration building are not suitable. The hospital has a good garden, dairy herd and large poultry farm.

We recommend that more provision should be made for the insane, as the need is growing each year.

We believe that the criminal insane which are now scattered through all of the hospitals should be removed therefrom and placed in a separate hospital for this specific purpose, built within the walls of the central State penitentiary. That a competent medical staff be provided in conjunction with it and under the supervision of the Manager of the Prison System.

Each State hospital should be provided with a competent farm manager and dairy husbandman, and a dietitian, as these employes can save many times their salaries each year.

We urge that two additional doctors be added to the staff of each hospital, in order that patients may be assured closer observation.

During the fiscal year ending August 31, 1930, the State hospitals for insane admitted the following numbers of patients:

Austin State Hospital.....	263
Rusk State Hospital.....	333
Terrell State Hospital.....	431
San Antonio State Hospital....	534
Wichita Falls State Hospital...	810

Total 2,371

During the first four months of the present fiscal year the following numbers were admitted:

Austin State Hospital.....	73
Rusk State Hospital.....	112
Terrell State Hospital.....	171
San Antonio State Hospital....	135
Wichita Falls State Hospital...	262

Total 753

Present number of patients in State Hospitals for insane:

Austin State Hospital.....	1,980
Rusk State Hospital.....	1,441
Terrell State Hospital.....	1,985
Wichita Falls State Hospital...	1,633
San Antonio State Hospital....	2,250

Total 9,289

Abilene State Hospital for Epileptics 905

Total in all.....10,194

In addition to the number present in the hospitals there are over 1700 on furlough.

Present capacity of the State Hospitals for insane:

Austin State Hospital.....	1,780
Rusk State Hospital.....	1,460
Terrell State Hospital.....	2,000
Wichita Falls State Hospital...	1,780
San Antonio State Hospital....	2,000

Total 9,020

Abilene Hospital 970

Total 9,990

It is estimated that about 60 per cent of those who are enrolled in the State Hospitals are dismissed or furloughed within one year, leaving a permanent increase of 40 per cent, which, for the fiscal year of 1930, amounts to 474. If the present rate of increase of insane continues, in five years it will amount to 2370 (permanent increase). At the present rate of enrollment, a total of 11,855 will have been enrolled in the hospitals for insane in five years. The epileptic patients have increased about 50 each year, which, added to the enrollment of insane, makes a total of 12,105.

The capacity of the San Antonio Hospital may be increased to 2500 patients. The best information we can obtain is that the capacity of the Terrell Hospital should not be increased beyond 2000 unless it becomes imperative. The same is also true of Rusk and Austin Hospitals. Wichita Falls Hospital can be increased to 2500. The water, sewer, power and other facilities of the older hospitals were not designed to care for more patients than the ap-

proximate figures indicate as the ultimate capacity of each, and to further extend them would not make for efficiency or economy.

The Legislature should provide sufficient funds for the hospitals for building and equipment, to enable the superintendents to properly segregate the curable from the incurable patients without overcrowding either class, and to afford the curable patients every possible advantage.

A questionnaire sent to county judges in October developed the fact that, in 168 counties, 165 insane were being held in the jails because of the crowded condition of the State hospitals, and that some had been so held as long as eleven months. The completion of the new dormitories at Wichita Falls and Rusk has relieved this condition to some degree but has not in any way alleviated the overcrowding of the hospitals. There are about 75 negro insane still in jail.

There is no place where negro feeble-minded and epileptics may be cared for unless they become insane. There is no provision for negro tubercular patients.

The committee visited all State hospitals for insane and examined them closely as to state of repair, evercrowding and apparent fire hazards.

The Board of Control and officers of the hospitals co-operated with us in our effort to develop facts as to the needs of these institutions.

In conclusion, your committee, after calling attention to immediate and incidental necessities of each of the State Hospitals for Insane also calls attention to the fact that we offer no criticism of the management or administration of these institutions, either by the heads of the individual institutions or by the Board of Control. Each institution is handled as a separate and distinct unit, primarily under the management of a doctor as superintendent, which is essential. However, each hospital is a great business institution and the six or seven including the State Tuberculosis Sanatorium, taken together represent an investment of many millions of dollars, which calls for efficient business administration.

The six hospitals described are now caring for approximately 10,000 patients or inmates and have approximately 1600 employees, and approximately 5000 acres of farm land, add to this the State tuberculosis hospi-

tal with its 600 patients, about 200 employes and 1000 acres of land.

The potential possibility of enlarging and improving our State Hospitals, with a vision of greater efficiency in the care in inmates and effecting economy in the expenditure of public funds, efficiency in the administration of these great institutions, calls for a co-operative and co-ordinate management of the six or seven as a whole.

If the magnitude of our penitentiary system requires a business organization, consisting of a board of nine members of outstanding ability and a general manager of all the units of the combined system, and every State college has its governing board of regents, then it seems logical that with a problem of such magnitude as the management of this great hospital system, that the time surely is at hand when a governing board, composed of a certain number of persons of outstanding ability in medical science together with a certain number of members of outstanding ability in business administration should be created to deal with this, the State's greatest humanitarian and vastly important business problem.

We recommend the creation of a non-salaried board or commission composed of not to exceed five persons, whose duty it would be to administer the affairs of those institutions designated as State Hospitals in co-operation with the superintendents of those institutions.

HOUSE BILL NO. 564 ON SECOND READING.

(By Unanimous Consent.)

On motion of Mr. DeWolfe, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 564, A bill to be entitled "An Act creating and enlarging Mullin Independent School District in Mills county, Texas; defining its boundary lines, including the Mullin Independent School District as created by an act of the First Called Session of the Thirty-ninth Legislature, and the Blanket Springs Common School District No. 10, in Mills county, Texas, contiguous thereto, and validating an election held on the 28th day of June, 1930, in both of said districts, for the purpose of enabling the legally qualified voters in

each of the said districts to determine whether or not the said two districts should be consolidated for public free school purposes and be known as the Mullin Independent School District, and declaring an emergency, etc."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 564 ON THIRD READING.

Mr. DeWolfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 564 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	Harrison
Adams of Jasper.	of El Paso.
Adamson.	Harrison
Adkins.	of Waller.
Albritton.	Hatchitt.
Alsup.	Hefley.
Anderson.	Hill.
Baker.	Hines.
Barron.	Holder.
Bond.	Holloway.
Bounds.	Hoskins.
Boyd.	Hughes.
Bryant.	Jackson.
Burns of Walker.	Johnson
Burns	of Dallam.
of McCulloch.	Johnson
Carpenter.	of Dimmit.
Claunch.	Johnson of Morris.
Cunningham.	Jones of Shelby.
Dale.	Jones of Atascosa.
DeWolfe.	Justiss.
Dodd.	Kayton.
Donnell.	Kennedy.
Dowell.	Laird.
Dunlap.	Lasseter.
Duvall.	Lee.
Elliott.	Lemens.
Engelhard.	Leonard.
Farmer.	Lilley.
Farrar.	McCombs.
Finn.	McDougald.
Fisher.	McGill.
Forbes.	Mathis.
Ford.	Mehl.
Fuchs.	Metcalfe.
Gilbert.	Moffett.
Giles.	Moore.
Goodman.	Munson.
Graves.	Murphy.
Grogan.	Olsen.
Hanson.	O'Quinn.
Hardy.	Petsch.
Harman.	Ramsey.

Ratliff.	Stephens.
Ray.	Steward.
Reader.	Sullivant.
Richardson.	Tarwater.
Rogers.	Terrell of Cherokee.
Rountree.	Towery.
Sanders.	Vaughan.
Satterwhite.	Walker.
Savage.	Weinert.
Shelton.	Wiggs.
Smith of Bastrop.	Wyatt.
Smith of Wood.	Young.
Sparkman.	

Absent.

Adams of Harris.	Lockhart.
Akin.	Long.
Beck.	McGregor.
Bedford.	Magee.
Bradley.	Martin.
Brice.	Morse.
Brooks.	Nicholson.
Caven.	Patterson.
Coltrin.	Pope.
Coombes.	Scott.
Cox of Lamar.	Sherrill.
Cox of Limestone.	Stevenson.
Daniel.	Strong.
Davis.	Terrell of Val Verde.
Dwyer.	Turner.
Ferguson.	Van Zandt.
Greathouse.	Veatch.
Herzik.	Wagstaff.
Holland.	Warwick.
Howsley.	West of Coryell.
Hubbard.	West of Cameron.
Keller.	Westbrook.

The Speaker then laid House bill No. 564 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—106.

Adams of Jasper.	Dodd.
Adamson.	Donnell.
Adkins.	Dowell.
Akin.	Dunlap.
Albritton.	Duvall.
Alsup.	Dwyer.
Anderson.	Elliott.
Baker.	Engelhard.
Bond.	Farmer.
Bounds.	Farrar.
Boyd.	Finn.
Bryant.	Fisher.
Burns of Walker.	Forbes.
Burns	Ford.
of McCulloch.	Fuchs.
Carpenter.	Gilbert.
Claunch.	Giles.
Cox of Lamar.	Goodman.
Cunningham.	Graves.
Dale.	Grogan.
DeWolfe.	Hanson.

Hardy.	Metcalfe.
Harman.	Moffett.
Harrison	Moore.
of El Paso.	Munson.
Harrison	Murphy.
of Waller.	Olsen.
Hatchitt.	O'Quinn.
Hefley.	Petsch.
Herzik.	Ramsey.
Hill.	Ratliff.
Hines.	Ray.
Holland.	Reader.
Hoskins.	Richardson.
Hughes.	Rogers.
Johnson	Rountree.
of Dallam.	Satterwhite.
Johnson	Savage.
of Dimmit.	Shelton.
Jones of Shelby.	Smith of Bastrop.
Jones of Atascosa.	Smith of Wood.
Justiss.	Sparkman.
Kayton.	Stephens.
Kennedy.	Steward.
Laird.	Strong.
Lasseter.	Sullivant.
Lee.	Tarwater.
Lemens.	Towery.
Leonard.	Vaughan.
Lilley.	Veatch.
McCombs.	Walker.
McDougald.	Weinert.
McGill.	Wiggs.
Mathis.	Wyatt.
Mehl.	Young.

Absent.

Adams of Harris.	Long.
Barron.	McGregor.
Beck.	Magee.
Bedford.	Martin.
Bradley.	Morse.
Brice.	Nicholson.
Brooks.	Patterson.
Caven.	Pope.
Coltrin.	Sanders.
Coombes.	Scott.
Cox of Limestone.	Sherrill.
Daniel.	Stevenson.
Davis.	Terrell
Ferguson.	of Cherokee.
Greathouse.	Terrell
Holder.	of Val Verde.
Holloway.	Turner.
Howsley.	Van Zandt.
Hubbard.	Wagstaff.
Jackson.	Warwick.
Johnson of Morris.	West of Coryell.
Keller.	West of Cameron.
Lockhart.	Westbrook.

ENTERTAINMENT BY COWBOY BAND.

Mr. Wagstaff moved that the Simmons University Cowboy Band be invited to play in the House of Repre-

sentatives, and that the House thank the Senate for the invitation extended it to then visit the Senate and hear the band play in the Senate.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort the band to the Hall of the House:

Messrs. Wagstaff, Keller and Pope.

The committee having performed their duty, the Simmons University Cowboy Band then entertained the House with several musical selections.

On motion of Mr. Farmer, the House gave a rising vote of thanks to the band.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 111.

Mr. Burns of Walker, Chairman, submitted the following conference committee report on House bill No. 111:

Committee Room,
Austin, Texas, February 20, 1931.

Honorable Fred Minor, Speaker,
House of Representatives.

Honorable Edgar E. Witt, President,
Senate.

Sirs: We, your conference committee, to whom was referred House bill No. 111 for the purpose of adjusting the differences between the House and the Senate, have had the same under consideration and beg to advise that we have adjusted said differences and recommend that House bill No. 111, as amended, do not pass but that the following specified bill do pass in lieu thereof:

"A BILL

To Be Entitled

An Act amending Chapter 21 of the Acts of the Second Called Session of the Forty-first Legislature, providing for an open season or period of time when it shall be lawful to take or kill squirrel in certain counties; providing penalties for the violation thereof; repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 21 of the Acts of the Second Called Session of the Forty-first Legislature be amended so as to hereafter read as follows:

It shall be unlawful for any person to hunt, take or kill squirrel, except during the months of May, June, July, October, November and December of any year in the following named counties: Colorado, San Patricio, Trinity, Morris, Cass, Marion, Smith, Walker, San Jacinto, Waller, Fort Bend, Rusk, Matagorda, Brazoria, Bowie, Cherokee, and Austin.

Sec. 2. It shall be unlawful for any person to hunt, take or kill squirrel, except during the months of November and December of any year in the following named counties: Shelby, Nacogdoches, San Augustine, Panola, Angelina, Sabine, Tyler, Hardin, Jasper and Newton.

Sec. 3. Any person who shall hunt, take or kill any squirrel in violation of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars.

Sec. 4. All laws and parts of laws and all special acts of the Legislature in conflict herewith are expressly repealed.

Sec. 5. The fact that there is no adequate law regulating the killing or taking of squirrels in the counties named in this act; and the fact that the present laws are confusing, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted."

Respectfully submitted,

BURNS of Walker,

ADAMS of Jasper,

ADKINS,

LASSETER,

JONES of Shelby,

On the part of the House.

PATTON,

COUSINS,

THOMASSON,

STEVENS,

On the part of the Senate.

On motion of Mr. Burns of Walker, the report was adopted by the following vote:

Yeas—99.

Mr. Speaker.	Barron.
Adams of Jasper.	Beck.
Adamson.	Bounds.
Adkins.	Boyd.
Albritton.	Bradley.
Baker.	Bryant.

Burns of Walker.	Keller.
Burns	Kennedy.
of McCulloch.	Lasseter.
Carpenter.	Lee.
Coltrin.	Lemens.
Cox of Lamar.	Leonard.
Cunningham.	Long.
Daniel.	McGill.
Davis.	Martin.
DeWolfe.	Mathis.
Dowell.	Mehl.
Dunlap.	Moffett.
Duvall.	Moore.
Dwyer.	Munson.
Elliott.	Olsen.
Engelhard.	O'Quinn.
Farmer.	Patterson.
Farrar.	Pope.
Ferguson.	Ramsey.
Finn.	Ratliff.
Forbes.	Ray.
Fuchs.	Reader.
Giles.	Sanders.
Goodman.	Satterwhite.
Graves.	Shelton.
Greathouse.	Sherrill.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Steward.
Harrison	Strong.
of Waller.	Sullivant.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Herzik.	Terrell
Hill.	of Val Verde.
Hines.	Towery.
Holland.	Vaughan.
Hoskins.	Veatch.
Hughes.	Wagstaff.
Jackson.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	Wiggs.
Justiss.	Wyatt.
Kayton.	Young.

Nays—14.

Akin.	Holloway.
Claunch.	Lilley.
Dodd.	Murphy.
Fisher.	Petsch.
Ford.	Rogers.
Gilbert.	Savage.
Grogan.	Scott.

Present—Not Voting.

Alsup.	Smith of Bastrop.
Anderson.	Stephens.

Absent.

Adams of Harris.	Brooks.
Bedford.	Caven.
Bond.	Coombes.
Brice.	Cox of Limestone.

Dale.	McGregor.
Donnell.	Magee.
Harrison	Metcalfe.
of El Paso.	Morse.
Holder.	Nicholson.
Howsley.	Richardson
Hubbard.	Rountree.
Johnson	Stevenson.
of Dallam.	Tarwater.
Johnson of Morris.	Turner.
Laird.	Van Zandt.
Lockhart.	West of Cameron.
McCombs.	Westbrook.
McDougald.	

BILL ORDERED PRINTED.

Mr. Sullivant moved that House bill No. 187, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—61.

Adams of Jasper.	Jones of Shelby.
Adamson.	Justiss.
Akin.	Keller.
Albritton.	Kennedy.
Alsup.	Lasseter.
Baker.	Lemens.
Barron.	McGill.
Bond.	Mathis.
Bounds.	Murphy.
Boyd.	O'Quinn.
Bryant.	Pope.
Burns of Walker.	Ramsey.
Coltrin.	Ratliff.
Cox of Lamar.	Ray.
Dale.	Rogers.
Daniel.	Rountree.
Duvall.	Sanders.
Farmer.	Satterwhite.
Farrar.	Sherrill.
Ferguson.	Sparkman.
Fisher.	Strong.
Greathouse.	Sullivant.
Grogan.	Terrell
Hanson.	of Cherokee.
Hardy.	Towery.
Harrison	Vaughan.
of Waller.	Veatch.
Hatchitt.	Walker.
Herzik.	Warwick.
Hoskins.	Weinert.
Jackson.	Wiggs.
Johnson	
of Dallam.	

Nays—44.

Adkins.	DeWolfe.
Anderson.	Dodd.
Beck.	Donnell.
Burns	Dowell.
of McCulloch.	Dwyer.
Carpenter.	Elliott.
Claunch.	Engelhard.

Forbes.	Moffett.
Ford.	Moore.
Fuchs.	Munson.
Giles.	Nicholson.
Goodman.	Petsch.
Graves.	Savage.
Harman.	Scott.
Hill.	Shelton.
Holder.	Smith of Bastrop.
Holland.	Stephens.
Hughes.	Steward.
Johnson	Terrell
of Dimmit.	of Val Verde.
Jones of Atascosa.	Wagstaff.
Kayton.	West of Coryell.
Lilley.	Wyatt.
Mehl.	

Absent.

Adams of Harris.	Leonard.
Bedford.	Lockhart.
Bradley.	Long.
Brice.	McCombs.
Brooks.	McDougald.
Caven.	Magee.
Coombes.	McGregor.
Cox of Limestone.	Martin.
Cunningham.	Metcalfe.
Davis.	Morse.
Dunlap.	Olsen.
Finn.	Patterson.
Gilbert.	Reader.
Harrison	Richardson.
of El Paso.	Smith of Wood.
Hefley.	Stevenson.
Hines.	Tarwater.
Holloway.	Turner.
Howsley.	Van Zandt.
Hubbard.	West of Cameron.
Johnson of Morris.	Westbrook.
Laird.	Young.
Lee.	

TO MEMORIALIZE FOREIGN RELATIONS COMMITTEE.

Mr. McGill, by unanimous consent, offered the following resolution:

H. C. R. No. 28, Memorializing the Senate of the United States relative to United States Senate resolution No. 442 and United States Senate resolution No. 443 and subcommittee report of the Foreign Relations Committee on trade relations with China and causes and remedy for depressed conditions of commerce.

Whereas, On the eleventh day of February, 1931, there was introduced in the Senate of the United States Senate resolution No. 442, advising the President of the United States to take certain action relative to dumping of silver on the market of the world derived from the melting up of silver coins, also and in addition to call or obtain an international confer-

ence or conferences looking to an agreement or understanding with regard to the use and status of silver as money; and

Whereas, On said eleventh day of February, 1931, there was also introduced in the United States Senate Senate resolution No. 443, advising the President of the United States to consider the practicability of our government alone or in connection with other governments establishing a silver pool or fund for the advancement of silver to the national government of China for coinage and use for specific purposes; and

Whereas, Also on the eleventh day of February, 1931, there was filed with the Foreign Relations Committee of the United States Senate a report of the subcommittee thereof making certain findings regarding the commercial relations between China and the United States, the causes of the great and sudden depression in such commerce and suggesting remedies for relief; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That they hereby approve said report of said committee and endorse said resolutions hereinabove referred to and introduced in the Senate of the United States as aforesaid and urge the Foreign Relations Committee of the United States Senate to favorably report such resolutions and approve the report of said sub-committee, and also urge the Senate of the United States to pass said resolutions, and also urge the President of the United States to carry out the purposes of such resolutions as expeditiously as may be possible; and be it further

Resolved, That certified copies of this memorial be forwarded by the Secretary of State to the United States Senators and to the Congressmen from Texas, also to the Hon. William E. Borah, Chairman, Committee of Foreign Relations, United States Senate; also, to the Hon. Key Pittman, Chairman, Subcommittee on Foreign Relations, United States Senate.

Signed—McGill, Jackson, Harrison.

The resolution was read second time and was adopted.

HOUSE BILL NO. 321 ON SECOND READING.

Mr. Boyd moved that the regular order of business be suspended to take up and have placed on its sec-

ond reading and passage to engrossment,

H. B. No. 321, A bill to be entitled "An Act amending Article 909 of the Penal Code of the State of Texas, and adding thereto, in reference to storage of wild game birds, wild fowls and wild game animals; providing that wild game birds, wild fowl and wild game animals may be placed on storage; providing the time when they may be placed on storage, etc., and declaring an emergency."

The motion prevailed by the following vote:

Yeas—81.

Adams of Jasper.	Jones of Shelby.
Adkins.	Kayton.
Alsup.	Keller.
Anderson.	Lasseter.
Barron.	Lilley.
Beck.	Long.
Boyd.	McDougald.
Bryant.	McGill.
Burns of Walker.	Mathis.
Carpenter.	Moore.
Claunch.	Munson.
Coltrin.	Murphy.
Cox of Lamar.	O'Quinn.
Cunningham.	Patterson.
Daniel.	Petsch.
DeWolfe.	Pope.
Dowell.	Ratliff.
Dunlap.	Ray.
Dwyer.	Reader.
Ferguson.	Rogers.
Finn.	Rountree.
Forbes.	Sanders.
Ford.	Satterwhite.
Gilbert.	Savage.
Goodman.	Scott.
Graves.	Shelton.
Grogan.	Smith of Bastrop.
Harman.	Sparkman.
Harrison	Stephens.
of El Paso.	Steward.
Hefley.	Strong.
Herzik.	Sullivant.
Hill.	Towery.
Holder.	Vaughan.
Holland.	Veatch.
Hoskins.	Wagstaff.
Hughes.	Walker.
Jackson.	Weinert.
Johnson	West of Coryell.
of Dallam.	West of Cameron.
Johnson	Wiggs.
of Dimmit.	Wyatt.

Nays—29.

Akin.	Burns
Albritton.	of McCulloch.
Baker.	Cox of Limestone.
Bounds.	Dale.

Dodd.	Hatchitt.
Donnell.	Jones of Atascosa.
Elliot.	Justiss.
Engelhard.	Kennedy.
Farmer.	Laird.
Farrar.	Martin.
Fisher.	Mehl.
Fuchs.	Moffett.
Greathouse.	Olsen.
Hardy.	Smith of Wood.
Harrison	Terrell
of Waller.	of Cherokee.

Present—Not Voting.

Adamson.	Warwick.
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Absent.

Adams of Harris.	Leonard.
Bedford.	Lockhart.
Bond.	McCombs.
Bradley.	McGregor.
Brice.	Magee.
Brooks.	Metcalfe.
Caven.	Morse.
Coombes.	Nicholson.
Davis.	Ramsey.
Duvall.	Richardson.
Giles.	Sherrill.
Hanson.	Stevenson.
Hines.	Tarwater.
Holloway.	Terrell
Howsley.	of Val Verde.
Hubbard.	Turner.
Johnson of Morris.	Van Zandt.
Lee.	Westbrook.
Lemens.	Young.

The Speaker then laid House bill No. 321 before the House on its second reading and passage to engrossment.

The bill was read second time.

Mr. Bond offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 321 by adding after the word "fish wardens," in the last line of the first page of the bill, the words "or any citizen."

(2)

Amend House bill No. 321 by adding to the end of Article 909 the following: "Provided, however, that it is also unlawful, and punishable by the penalty set out in this article to possess in storage any wild game, other than migratory game birds, thirty days after the close of the season, and it is further unlawful to have in storage at any time any wild game or wild game birds in excess of the bag limit allowed for one week."

The amendments were severally adopted.

Question—Shall the bill pass to engrossment?

RELATIVE TO REDISTRICTING STATE OF TEXAS.

On motion of Mr. Petsch, the following resolution was referred to the Committee on Judicial Districts:

Whereas, There is at this time pending in the Legislature approximately ten bills calling for the creation of additional district courts in this State; and

Whereas, The creation of such courts will require an additional expenditure of approximately \$10,000 for each new court; and

Whereas, A check of the judicial districts of Texas shows the following:

That there are four districts in Texas having a population of over 100,000;

Four with a population of over 90,000;

Ten with a population of over 75,000;

Seventeen with a population of over 60,000;

Twenty-eight with a population of over 50,000;

Twenty-five with a population of over 35,000;

Nine with a population of over 25,000;

Three with a population of over 20,000, and less than 25,000;

Six with a population of less than 20,000; and

Whereas, It is apparent from these figures that the distribution of judicial districts in Texas is very much disorganized, unfair and wholly lacking in unanimity; and

Whereas, Such conditions evidence the fact that a number of district judges are overworked and that probably a greater number do not have sufficient business to require a full expenditure of their time; and

Whereas, Such a condition of things is not conducive to the efficient operation of courts and is very expensive to the taxpayers of Texas; and

Whereas, It is apparent from the record that additional relief by way of creating new district courts is necessary in some parts of Texas; and

Whereas, The government is already overburdened with too many district courts, many of which would

doubtless be eliminated in the event the State would be redistricted for district court purposes, and by such means a great amount of money could be saved to the people of Texas, and at the same time give all of the necessary district courts required by every section of Texas; therefore, be it

Resolved by the House of Representatives, That its Committee on Judicial Districts is hereby instructed to prepare such a redistricting bill for the State based upon a definite population unit for counties containing cities having a population in excess of 50,000, and upon another population unit for the remaining counties in Texas, or upon any other principle which such committee might adopt.

Signed—Petsch, Howsley.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 20, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report to House bill No. 111, by the following vote, 28 ayes, 0 nays.

The Senate has passed

S. B. No. 392, A bill to be entitled "An Act making an appropriation for the benefit of Fastrill Common School District No. 10 of Cherokee county on account of the recent destruction of the school building and facilities in the territory now composing said district; directing the expenditure of said money, and declaring an emergency."

Respectfully,
JNO. B. DuPRIEST,
Assistant Secretary of the Senate.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time and referred to the appropriate committee, as follows:

Senate bill No. 392, to the Committee on Appropriations.

ADJOURNMENT.

Mr. Anderson moved that the House adjourn until 9:30 o'clock a. m. next Monday.

Mr. Petsch moved that the House recess until 9 o'clock a. m. tomorrow.

Question first recurring on the motion to adjourn until 9:30 o'clock a. m. next Monday, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—64.

Adamson.	Jackson.
Alsup.	Johnson
Anderson.	of Dimmit.
Baker.	Jones of Shelby.
Bond.	Jones of Atascosa.
Bradley.	Justiss.
Burns of Walker.	Kayton.
Dale.	Keller.
Daniel.	Lemens.
Davis.	Long.
DeWolfe.	McGill.
Duvall.	Martin.
Dwyer.	Mehl.
Elliott.	Moore.
Farmer.	Munson.
Ferguson.	Murphy.
Ford.	Olsen.
Fuchs.	Patterson.
Goodman.	Pope.
Greathouse.	Ramsey.
Grogan.	Reader.
Hardy.	Savage.
Harman.	Smith of Bastrop.
Harrison	Smith of Wood.
of El Paso.	Strong.
Harrison	Sullivant.
of Waller.	Tarwater.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Herzik.	Towery.
Hill.	Wagstaff.
Holder.	Warwick.
Holland.	Weinert.
Hughes.	Wiggs.

Nays—54.

Adams of Jasper.	Forbes.
Adkins.	Gilbert.
Akin.	Giles.
Albritton.	Graves.
Barron.	Hanson.
Beck.	Hoskins.
Bounds.	Johnson
Boyd.	of Dallam.
Bryant.	Kennedy.
Burns	Lasseter.
of McCulloch.	Lilley.
Carpenter.	McDougald.
Claunch.	Mathis.
Coltrin.	Moffett.
Cunningham.	Petsch.
Dodd.	Ratliff.
Donnell.	Ray.
Dowell.	Rogers.
Engelhard.	Rountree.
Farrar.	Sanders.
Finn.	Satterwhite.
Fisher.	Scott.

Shelton.
Sherrill.
Sparkman.
Stephens.
Steward.
Vaughan.

Veatch.
Walker.
West of Coryell.
West of Cameron.
Wyatt.
Young.

Absent.

Adams of Harris.	Leonard.
Bedford.	Lockhart.
Brice.	McCombs.
Brooks.	McGregor.
Caven.	Magee.
Coombes.	Metcalfe.
Cox of Lamar.	Morse.
Cox of Limestone.	Nicholson.
Dunlap.	O'Quinn.
Hines.	Richardson.
Holloway.	Stevenson.
Howsley.	Terrell
Hubbard.	of Val Verde.
Johnson of Morris.	Turner.
Laird.	Van Zandt.
Lee.	Westbrook.

And the House accordingly, at 12:40 o'clock p. m., adjourned until 9:30 o'clock a. m. next Monday.

APPENDIX.

REPORT OF THE COMMITTEE
ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 19, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 398, A bill to be entitled "An Act making certain emergency appropriations out of the general revenue of the State of Texas for the several institutions and departments of State government named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

EIGHTEENTH DAY.

(Monday, February 23, 1931.)

The House met at 9:30 a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present: